

American Energy Corporation

43521 Mayhugh Hill Road
Beallsville, OH 43716
Phone (740) 926-9152
Mobile (740) 310-9725

December 22, 2010

Ms. Abbot Stevenson
Ohio Department of Environmental Protection
Division of Surface Water
2195 Front Street
Logan, OH 43138

RE: AMERICAN ENERGY CORPORATION
PERMIT: D-0425, OIL00091*GD
Belmont County
Monthly OEPA NPDES Report – November 2010

Dear Abbot:

Please find the enclosed ODNR 4110 Monthly Discharge Monitoring Report depicting discharge point P018A for the month of November 2010. The enclosed report includes sample analysis and a flow rate measurement for the discharge of D-0425 P018A.

I'm submitting an ODNR 4110 Discharge Monitoring Report in place of the OHEPA eDMR form due to a past failure of transfer of P018A to the on-line monitoring report. Mr. Dennis Dubiel and I have been closely working with Mr. Ed Swindall of the OHEPA to update the OIL00091*GD eDMR form to now show P018A. The on-line eDMR reporting form will show P018A moving forward. I have also included an OHEPA explanation of non-compliance form detailing the discharge and corrective actions.

Mr. Dubiel can be reached by cell phone at 740.312.0403 and email at ddubiel@coalsource.com. My contact information is as follows: cell phone - 740.310.9428 and email address is cmozena@coalsource.com. Feel free to contact either myself or Mr. Dubiel if you should have any questions regarding the enclosed reports or site discharge.

Sincerely,

Cody M. Mozena
MURRAY ENERGY CORPORATION
Manager of Water Quality
1 Industrial Park Drive
Wheeling, WV 26003
Email: cmozena@coalsource.com

Cc: REPORT
NON-COMPLIANCE EXPLANATION

AEC 13115



Ohio Environmental Protection Agency

[illegible]

AEC 13116



Division of Surface Water
Non-compliance Notification for
Exceedance of a Daily Maximum Discharge Limit

Use this form to report non-compliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in your NPDES permit (see Part III, Section 12 of your NPDES permit for details). The form should be completed and e-mailed to the appropriate Ohio EPA inspector, or Ohio EPA office using one of the following addresses:

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

Permittee Information	
Name of permittee:	American Energy Corporation
NPDES Permit number:	OIL00091*GD
Contact name for permittee:	Cody Mozena
Contact telephone number:	740-310-9428
Exceeded limit	
Parameter name:	pH, Total Suspended Solids ("TSS") & Iron
Provide type of limit exceeded, e.g. concentration, loading, etc.	pH- Daily Concentration; TSS- Daily & Monthly Concentration; Iron- Daily & Monthly Concentration.
Extent of exceedance	
Provide permit limit, e.g. 10 ug/l	6.00 - 9.00 S.U.; TSS- 35 mg/L Monthly Avg. & 70mg/L Daily High; Iron- 3 mg/L Monthly Avg. & 6mg/L Daily High.
Measured exceedance (include units):	3.45 S.U.; TSS- 62mg/L; Iron- 49mg/L.
Cause of exceedance	
Provide an explanation for the cause of the permit limit exceedance:	Heavy rains fell throughout the day and into the night of November 30 th leading to a rapid rise in the water elevation at P018. The pump that runs from P018 to the preparation plant which is designed to maintain a proper water level could not overcome the inlet flow to prevent the pond from discharging. An approximate three hour failure of the pump led to the discharge of P018. Management made efforts to chemically treat the water with the addition of liquid caustic soda and hydrated lime. Management also attempted to keep the water level down by simultaneously running two, 3,000 gallon capacity vacuum trucks from approximately 11p.m. on 11/29/2010 and continued to run thru 12/1/2010.
Period of exceedance	
Exact time period of exceedance (include times and dates):	P018 discharged from approximately from 9:30 p.m. to 11:30 p.m. on 11/30/2010.
If uncorrected, expected duration	
If the exceedance is not yet corrected, provide the expected time period during which it is anticipated to continue:	The exceedance has been corrected.
Steps to address exceedance	
Describe all the steps taken to reduce, eliminate, or prevent future occurrence of the exceedance(s):	<ul style="list-style-type: none">○ A camera will be placed overlooking the decant to ensure plant personnel are aware of the water level at all times.○ A water level sensor is to be placed at the decant which will transmit real-time warnings of rising or high water levels to the preparation plant control and appropriate personnel's email and cell-phones.○ P018 is currently being cleaned to remove sediment to allow for greater



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	pond capacity and settling time.